

**REMARKS**

In the Office Action under reply, restriction was required as follows:

Group I claims 1-9 and 15, which the Examiner characterized as being “drawn to MEMS device;” and


Group II claims 10-14, which the Examiner characterized as being “drawn to a method of making a MEMS device.”

Although Applicants disagree with the propriety of the Examiner’s restriction requirement and urge that the examination of both sets of claims places no undue burden on the Office, nevertheless, in an effort to expedite the prosecution of this application, Applicants elect, without traverse, Group I claims 1-9 and 15 for further prosecution in the present application. To simplify the prosecution of this application, non-elected claims 10-14 are cancelled.

Applicants reserve their right to present the non-elected claims in a divisional application for further prosecution.

An early examination on the merits of the elected claims is solicited.

Respectfully submitted,  
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